BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION OF HAWK RELAY, LLC FOR A CERTIFICATE OF AUTHORITY TO PROVIDE INTEREXCHANGE TELECOMMUNICATIONS SERVICES IN SOUTH DAKOTA	)))))	**ORDER GRANTING CERTIFICATE OF AUTHORITY** **TC07-014**

On February 23, 2007, the Public Utilities Commission (Commission), in accordance with SDCL 49-31-3 and ARSD 20:10:24:02, received an application for a certificate of authority from Hawk Relay, LLC (Hawk Relay). Hawk Relay intends to provide Video Relay Services and Internet Protocol Relay Services. The Commission has classified long distance service as fully competitive.

On March 1, 2007, the Commission electronically transmitted notice of the filing and the intervention deadline of March 16, 2007, to interested individuals and entities. No petitions to intervene or comments were filed and at its June 26, 2007, meeting, the Commission considered Hawk Relay's request for a certificate of authority. Commission Staff recommended granting an interexchange certificate of authority, subject to the condition that Hawk Relay not offer any prepaid services (including prepaid calling cards) and not accept or require any deposits or advance payments and not provide end-user services that require end-user billings without prior approval of the Commission. Commission Staff further recommended a waiver of ARSD 20:10:24:02(8).

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24:02 and 20:10:24:03. The Commission finds that Hawk Relay has met the legal requirements established for the granting of a certificate of authority. Hawk Relay, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Further, the Commission finds that there is good cause to waive ARSD 20:10:24:02(8).

The Commission approves Hawk Relay's application for a certificate of authority, subject to the condition that Hawk Relay not offer any prepaid services (including prepaid calling cards) and not accept or require any deposits or advance payments and subject to Hawk Relay not providing end-user services that require end-user billings without prior approval of the Commission. In the future, should Hawk Relay choose to provide prepaid services (including prepaid calling cards) or accept or require any deposits or advance payments or provide end-user services that require end-user billings, Hawk Relay will have to come before the Commission in another proceeding before being able to provide those services. As the Commission's final decision in this matter, it is therefore

ORDERED, that Hawk Relay's application for an interexchange certificate of authority to provide Video Relay Services, Internet Protocol Relay Services or other future FCC approved TRS services is hereby granted, subject to the condition that Hawk Relay not offer any prepaid services (including prepaid calling cards) and not accept or require any deposits or advance payments or provide end-user services that require end-user billings without prior approval of the Commission. It is

FURTHER ORDERED, that the Commission waives ARSD 20:10:24:02(8). It is

FURTHER ORDERED, that this order constitutes your Certificate of Authority as described above.

Dated at Pierre, South Dakota, this 2nd day of July, 2007.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: Delaine Kolbo

Date: 7/5/07

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

DUSTIN M. JOHNSON, Chairman

GARY HANSON, Commissioner

STEVE KOLBECK, Commissioner